D.B. CIVIL SPECIAL APPEAL NO.185/2006
(State Vs. Bharat Prasad Mathur)

Date of order : 26.7.2006

HON'BLE MR. JUSTICE RAJESH BALIA
HON'BLE MR. JUSTICE GOPAL KRISHAN VYAS

Mr. L.R. Upadhyay, Dy. Govt. Advocate.

This appeal is directed against the judgment of the learned Single Judge dated 28.7.2005.

The only controversy raised in this appeal is about considering the service rendered as temporary/ad hoc for the purpose of extending the benefit of Government order dated 25.1.1992 for grant of I, II and III selection grade after completion of 9, 18 and 27 years of service respectively. While the appellant-State contended that the incumbents are not entitled to include the period of temporary service in computing 9, 18 and 27 years of service, the petitioner-respondent has contended that under the terms of Government Order dated 25.1.1992, if the appointment has been made under the Rules, the temporary service of incumbent is also entitled to be counted for the purpose of extending the benefits of selection grade on completion of 9, 18 and 27 years of service.

The controversy has since been set at rest by

Full Bench of this Court in case of State of Rajasthan Vs. Farooq Ahmed & Ors., reported in 2005 (1) WLC (Raj) 1 by accepting the contention of the petitioner in that regard.

In view thereof, we do not find any ground for interference in the appeal. Accordingly, the appeal fails and is hereby dismissed.

(GOPAL KRISHAN VYAS), J. (RAJESH BALIA), J.

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